

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Kumuram Bheem Asifabad District – Issue of Local Schedule Tribe Agency Area Certificates under GO Ms.No.24, dt.12.6.2018 of TW (LTR.1) Department – Rejection of the claim for LSTAC of the appellant vide Rc.No/T1/91/2019, Dated 19.10.2020 of the District Collector, Kumuram Bheem Asifabad District as per report of PO, ITDA, Uttoor, Adilabad District vide Lr.Rc.No.T1/91/2019, Dt. 10.03.2020 - Appeal filed by Jadhav Akhil S/o Jagannath R/o Lingapur of Kumuram Bheem Asifabad District – Appeal allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 56

Dated: 01-07-2021
Read the following:-

1. G.O. Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Lr.Rc.No.T1/91/2019, Dt. 10.03.2020 of the PO, ITDA, Uttoor, Adilabad District
3. Lr.Rc.No.T1/91/2019, dated 19.10.2020 of the District Collector, Kumrambheem Asifabad District.
4. Appeal petition filed by Jadhav Akhil S/o Jagannath R/o Lingapur of Kumuram Bheem Asifabad District, dated 20.11.2020.
5. Govt.Memo.No.959/TW.LTR/2020, dated: 03.12.2020
6. Notice No. 959/TW.LTR/2020, dated: 03.12.2020 & 17.12.2020
7. Lr.Rc.No.T1/91/2019, dated 14.12.2020 of the Deputy Director(TW), Kumrambheem Asifabad District.

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the District Collector, Kumrambheem Asifabad District in the reference 3rd cited, has rejected the claim for Agency Area Local ST Certificate of Jadhav Akhil S/o Jagannath R/o Lingapur of Kumuram Bheem Asifabad District based on the report submitted by the Scrutiny Committee headed by PO, ITDA, Uttoor in the reference 2nd cited as per the definition of GO Ms.No.24, TW (LTR.1) Dept., dt.12.06.2018.

3. The history of the case is that the Appellant Jadhav Akhil S/o Jagannath has been provisionally selected in TRT 2017 through TSPSC under Agency Area Local ST category of Adilabad District. During verification of the Agency Area Local ST status, the District Collector, Kumurambheem Asifabad in his Lr.Rc.No.T1/91/2019, dt.19.10.2020 has reported that the LST certificate not issued by the Tahsildar, Lingapur, record submitted by the applicant is not authentic and hence rejected.

4. Aggrieved by the above, the appellant Sri Jadhav Akhil S/o Jagannath has filed a petition dt.20.11.2020 before the Hon'ble Minister for ST Welfare stating that though he has submitted all the relevant certificates in proof of his local ST status, his case was rejected – therefore, prayed to order for re-verification of his claim. The representation has been taken as an Appeal under GO Ms.No.24, dt.12.6.2018 of TW (LTR) Dept.

5. The following documents which have been submitted along with the

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Appeal petition on 20.10.2020 and also during hearing conducted on 23.12.2020.

i) Family Tree:

Chandru S/o Venkatram is grandfather of appellant. He has five sons namely 1) Dharema 2) Jagannath (father of appellant) 3) Raghunath 4) Meghanath and 5) Srikanth.

Jagannath (father of appellant) has two daughters and one son namely 1) Archana (daughter) 2) Akhil (son and appellant herein) and 3) Deepa (daughter).

- ii) Pahani 1950-51 – Nagalkonda village – issued by Tahsildar, Narnoor – recorded name of Chandru S/o Venkatram.
- iii) Khasra Pahani 1954-55 – Nagalkonda village – issued by Tahsildar, Narnoor – recorded name of Chandru S/o Venkatram.
- iv) Lr.No.C/828/2019-2, dt.15.10.2019 of Tahsildar, Lingapur addressed to the Tahsildar, Narnoor Mandal – wherein it was requested that Sri Jadhav Akhil S/o Jagannath R/o Nagalkonda village, Narnoor Mandal (presently living in Lingapur village and Mandal) – their ancestors lived in Nagalkonda village of Narnoor Mandal from 1950 to 1962 and after 1962 they migrated to Lingapur village and Mandal – in the said context the applicant has submitted Pahanies of 1950-51 and 1954-55 – therefore, requested to confirm veracity of the documents.
- v) Lr.No.C/632/2019, dt.25.10.2019 of Tahsildar, Narnoor addressed to the Tahsildar, Lingapur of KB Asifabad District – confirmed correctness of the documents as they were issued from their office.
- vi) Pahani 1963-64 – Jadhav Chandru S/o Venkatram (grandfather of appellant) was recorded for an extent of acs.8.00.
- vii) Pahani 1969-70 – Lingapur village – Sirpur-U Mandal – shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant).
- viii) Old Pattedar Pass Book – Taluq: Utnoor – Adilabad Dist. – issued to Sri Jadhav Chandru S/o Venkatram (grandfather of appellant) – showing in possession of 7.15 acres.
- ix) Pahani 1974-75 – Lingapur village – Jadhav Chandru S/o Venkatram (grandfather of appellant) shows for an extent of acs.8.00.
- x) Pahani 1989-90 – Lingapur village – shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant).
- xi) Pahani 1994-95 – Lingapur village – Sirpur-U Mandal – Jadhav Chandru S/o Venkatram (grandfather of appellant) for an extent of acs.4.00 in Sy.No.10/15.

- xii) Final Patta Certificate issued in Rc.No.A3./6599/1984, dt. -6-86 – an extent of 4.00 acres dry land was assigned to Sri Chandru S/o Venkatram R/o Lingapur (grandfather of appellant) in June, 1985.
 - xiii) 1-B copy shows name of Chandru S/o Venkatram (grandfather of appellant) in Khata No.34 Sy.No.10/15 for an extent of acs.4.00.
 - xiv) Pahani 1998-99 – Lingapur village – Sirpur-U Mandal – shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant) in Sy.No.10/15 for an extent of acs.4.00.
 - xv) Pahani 2005-06 - Lingapur village – Sirpur-U Mandal – shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant) in Sy.No.10/15 for an extent of acs.4.00.
 - xvi) Pahani 2009-10 - Lingapur village – Sirpur-U Mandal – shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant) in Sy.No.10/15 for an extent of acs.4.00.
 - xvii) Pahani for the fasli year 1424 (2014 year) showing name of Jadhav Chandru S/o Venkatram for an extent of acs.4.00 in Sy.No.10/15 in Lingapur village of Sirpur-U Mandal, Adilabad Dist.
 - xviii) PPB cum TD issued to Sri Jadhav Chandru S/o Venkatram (grandfather of appellant) for an extent of acs.4.00 in Sy.No.10/15.
 - xix) Cattle purchase receipt dt.11.9.1964 showing purchase of cattle by Chandru S/o Venkatram (grandfather of appellant) of Lingapur Taluq: Utnoor from Jadhav Mangtya S/o Bhasya, Lingapur.
 - xx) Lr.No.560/R2D/2020, dt.3.3.2020 issued by Director, Telangana State Archives and Research Institute, Tarnaka, Hyderabad to Sri Jadhav Akhil S/o Jagannath, Lingapur (v) & Mandal, Kuimuram Bheem Asifabad Dist. supplied Electoral Rolls of Lingapur village under 243 Khanapur Assembly Constituency for the years 1983, 1995 and 1999.
 - xxi) Electoral Roll for the year 1971 – 237 Boath Assembly Constituency – Lingapur village – Block No.1 – Part No.300 – Sl.No.185 under H.No.1-68 shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant) and Jadhav Bikkibai W/o Chandru (grandmother) at Sl.No.186.
 - xxii) Electoral Roll for the year 1977 – 243 Khanapur Assembly Constituency – Lingapur village – Block No.1 – Part No.145 – Sl.No.254 under H.No.1-68 shows name of Jadhav Chandru S/o Venkatram (grandfather of appellant) and at Sl.No.255 Jadhav Bikkibai W/o Chandru (grandmother).
 - xxiii) Electoral Roll for the year 1983 – 243 Khanapur Assembly Constituency – Lingapur village – Polling Station No.71 – shows
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name of Jadhav Chandru S/o Venkatram at Sl.No.337 under H.No.2-12.

xxiv) Copy of Concession Certificate (cannot travel without the assistance of an escort) issued to Sri Jadhav Jagannath Nayak S/o Chandru (father of appellant) R/o Lingapur village and Mandal – issued by Asst.Professor of Orthopaedics, RIMS, Adilabad.

xxv) GP Lingapur Resolution dt.23.11.2020 – wherein it was declared that Sri Jadhav Chandru has been living in their village since 1962 till now. Sri Jadhav Chandru i.e grandfather of appellant S/o Venkatram has five sons namely 1) Dharma 2) Jagannath 3) Meghanadh 4) Raghunath and 5) Srikanth.

xxvi) GP Nagalkonda Resolution dt.26.11.2020 (Narnoor Mandal) – declared that Sri Jadhav Chandru S/o Venkatram (grandfather of appellant) lived in Nagalkonda village doing agriculture from 1950 to 1962 and in 1962 migrated to Lingapur village for livelihood.

6. Vide reference 5th read above, the District Collector, Kumuram Bheem Asifabad District has been requested to submit connected documents pertaining to the case along with para-wise remarks.

7. Accordingly, vide reference 7th read above, the Deputy Director(TW), Kumuram Bheem Asifabad District has submitted connected documents of the case.

8. Vide reference 6th read above, a Notice has been sent to the Appellant the appellant Jadhav Akhil S/o Jagannath to attend for hearing on 23.12.2020 at 2.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 23.12.2020 submitted documents in support of his claim that they have been residing in the Agency Area since 1950 till date.

9. From the documentary evidences submitted by the appellant, it is found that the appellant Sri Jadhav Akhil S/o Jagannath R/o Lingapur village and Mandal in Kumuram Bheem Asifabad District have been continuously living in the agency villages of the erstwhile Adilabad District (from 1950 to 1962 in Nagalkonda village of Narnoor Mandal and from 1962 onwards in Lingapur village and Mandal of the present KB Asifabad District).

10. In the present case, as seen from the record, there is no complaint made against the Appellant Sri Jadhav Akhil S/o Jagannath R/o Lingapur village and Mandal of KB Asifabad District and the District Collector, KB Asifabad ought to have informed the same to the appoint authority i.e. Dist. Educational Officer, Adilabad about his local ST status in the Agency area as per the above directions of the Hon'ble High Court. Non-compliance of above directions of the Hon'ble High Court would attract contempt proceedings.

11. Government after careful examination of the documents available on record sent by the District Collector, Kumuram Bheem Asifabad District, and documents submitted by the Appellant and along with the Appeal Petition,
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during hearing on 23.12.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018 it is found that the Appellant Sri Jadhav Akhil S/o Jagannath R/o Lingapur village and Mandal, KB Asifabad District and his forefathers have been continuously living in the agency villages of the erstwhile Adilabad District i.e. from 1950 to 1962 in Nagalkonda village of Narnoor Mandal and from 1962 to till date in Lingapur village and Mandal of KB Asifabad District

12. Accordingly, Government hereby allowed the appeal filed by the appellant Jadhav Akhil S/o Jagannath R/o Lingapur village and Mandal, Kumuram Bheem Asifabad District and setting aside the conclusions arrived by the Scrutiny Committee headed by PO ITDA Utnoor as communicated by the District Collector, Kumuram Bheem Asifabad in Lr.Rc.No.T1/91/2019, dt.19.10.2020.

13. The Collector and District Magistrate, Kumuram Bheem Asifabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Kumuram Bheem Asifabad District.
Jadhav Akhil S/o Jagannath R/o Lingapur village and Mandal,
Kumuram Bheem Asifabad District

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
3. The District Educational Officer, Adilabad (for information & necessary action)
4. The District Educational Officer, Kumuram Bheem Asifabad (for information & necessary action)
5. The PS to Hon'ble Minister for ST Welfare for information.
6. The PS to Secretary (TW)
7. The PS to Special Secretary (TW)
8. SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER